UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

VININGS INSURANCE COMPANY	§	
	§	
Plaintiff,	§	
	§	
v.	§	**CIVIL ACTION NO. 5:16-cv-00445-DAE**
	§	
TODD HUGHES, and PASADERA BUILDERS, LP,	§	
	§	
Defendants.	§	

REPORT ON ALTERNATIVE DISPUTE RESOLUTION IN COMPLIANCE WITH LOCAL RULE CV-88

TO THE HONORABLE DAVID A. EZRA, U.S. DISTRICT JUDGE:

Defendant Pasadera Builders, LP (Pasadera), files this ADR Report, to supplement the report jointly filed by the other parties to the above referenced civil action, in accordance with Local Rule CV-88, showing:

1. Vinings sought to compel mediation of the dispute on July 1, 2016 and Pasadera objected on the basis that it did not believe participating in a mediation in advance of the August 15, 2016 arbitration hearing would be a productive use of time already allocated to preparing for the final arbitration hearing (which would significantly impact the coverage issues before this Court). Plaintiff's Motion to Compel Mediation (Dkt. # 18) was denied by this Court on 7/28/16.

2. The person(s) responsible for settlement negotiations are:

 Plaintiff: Camille Johnson, counsel for Vinings.

 Defendants: Leonard Meyer and Colin Guy, counsel for Pasadera Builders, LP; and Stephen Walraven, counsel for Todd Hughes.

3. The parties are not in agreement that they have exhausted settlement options. All parties are in agreement that mediation with Lee Shidlofsky is acceptable, on the terms established by the mediator, with costs split equally among the parties who participate, and to conduct the mediation session in San Antonio Texas. Though the other parties agree to mediate on a mutually agreeable date at the offices of

Langley & Banack, Inc., Pasadera is *only* agreeing to mediate on October 27, 2016 at the offices of Langley & Banack, Inc.

Respectfully submitted:

ZIMMERMAN, AXELRAD, MEYER,
STERN & WISE, P.C.

By: //s//Leonard J. Meyer
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COUNSEL FOR PASADERA BUILDERS, LP

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of October, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System which will send notification of such filing to all counsel of record.

Stephen E. Walraven
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